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09/884,639	06/19/2001	Heikki Halkosaari	309-010104-US (PAR)	2656
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PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			DANIEL JR, WILLIE J	
			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/884,639

Applicant(s)

HALKOSAARI ET AL.

Examiner

Willie J. Daniel, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This action is in response to applicant's RCE amendment filed on 03 November 2004.

**Claims 1-22** are now pending in the present application.

#### *Continued Examination Under 37 CFR 1.114*

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03 November 2004 has been entered.

#### *Claim Objections*

3. **Claim 19** is objected to because of the following informalities:
  - a. Applicant states "each" without relating the term to a particular part. Examiner interprets as "each interface".

Appropriate correction is required.

4. This list of examples is not intended to be exhaustive.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-4, 9, 19-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US 6,078,792) in view of Ford et al. (hereinafter Ford) (US 5,625,688).

Regarding **Claim 1**, Phillips discloses a mobile communication device (10) comprising:

telephone circuitry (36) having a front side, the front side of the telephone circuitry (36) having a top end and a bottom end (see col. 2, lines 45-50; Figs. 1-2); and

a housing (20) having a cover (24) which reads on the claimed “top shell” and a cover (22) which reads on the claimed “bottom shell”, the top shell (24) and the bottom shell (22) being disconnectable (see Fig. 2);

the housing (20) further including a microphone interface (28) and a speaker interface (28) (see col. 2, lines 35, 57-63; Figs. 1-2), where the housing is designed to protect the internal components from water,

the bottom shell (22) having a unitary keypad interface (30) sealed to the bottom shell (22) with conductive areas that interface with contacts on the telephone circuitry (36) (see Figs. 1-2).

wherein the housing (20) is adapted to substantially enclose the telephone circuitry (36) when the top shell (24) and the bottom shell (22) are mated in a direction from the top end to

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the bottom end (see col. 2, lines 45-46; Figs. 1-2). Phillips fails to disclose the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants. However, the examiner maintains that the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants was well known in the art, as taught by Ford.

In the same field of endeavor, Ford discloses the feature each interface (46, 44) including a water-impervious flexible membrane which reads on the claimed "gasket" that allows sound penetration while preventing the entry of water and contaminants (see abstract; col. 4, lines 6-21; col. 4, line 63 col. 5, line 24; Fig. 1), where the portable cordless telephone (12) has a housing (14) that prevents water from entering the housing (14) while allowing the user to speak and hear via the mouthpiece (46) and earpiece (44) during a shower.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips and Ford to have the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants, in order to have a water-resistant handset that can be safely used in watery conditions such as shower, rain, or high humidity conditions while allowing signals and sounds to be transmitted/received by a user's voice, as taught by Ford (see col. 4, lines 9-14; col. 5, lines 3-8, 19-25; col. 8, lines 11-17).

Regarding **Claim 2**, the combination of Phillips and Ford discloses everything claimed, as applied above (see claim 1), in addition Phillips further discloses of the mobile communication device (10) of claim 1 further comprising a user interface, the user interface

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usable by a mobile communication device user on the front side of the telephone circuitry (36) (see Figs. 1-2).

Regarding **Claim 3**, the combination of Phillips and Ford discloses everything claimed, as applied above (see claim 2), in addition Phillips further discloses wherein the user interface comprises a display (32), the display viewable by the mobile communication device (10) user through the housing (20) (see col. 2, lines 30-44; Figs. 1-2).

Regarding **Claim 4**, the combination of Phillips and Ford discloses everything claimed, as applied above (see claim 2), in addition Phillips further discloses wherein the user interface comprises a touch pad (30), the touch pad (30) interfaced to by the mobile communication device user through the housing (20) (see Figs. 1-2).

Regarding **Claim 9**, the combination of Phillips and Ford discloses everything claimed, as applied above (see claim 1), in addition Phillips discloses further comprising at least one interlocking flanges which reads on the claimed "fastener", wherein the fastener is adapted to couple the top shell (22) to the bottom shell (24) (see col. 2, lines 56-57; Figs. 1-2).

Regarding **Claim 19**, Phillips discloses a method of assembling a mobile communication device (10) comprising the steps of:

providing telephone circuitry (36) having a front side, the front side having a top end and a bottom end (see col. 2, lines 45-50; Figs. 1-2);

providing a housing (20) having a top shell (24) and a bottom shell (22), the top shell (24) and the bottom shell (22) being disconnectable (see Fig. 2), the housing (20) further

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including a microphone interface (28) and a speaker interface (28) (see col. 2, lines 35, 57-63; Figs. 1-2), where the housing is designed to protect the internal components from water, providing the bottom shell (22) having a unitary keypad interface (30) sealed to the bottom shell (22) with conductive areas that interface with contacts on the telephone circuitry (36) (see Figs. 1-2); and

      mating the top shell (24) and the bottom shell (22) around the telephone circuitry (36) in a direction from the top end to the bottom end of the telephone circuitry (36) (see col. 2, lines 45-46; Figs. 1-2). Phillips fails to disclose the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants. However, the examiner maintains that the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants was well known in the art, as taught by Ford.

      Ford further discloses the feature each (46, 44) including a water-impervious flexible membrane which reads on the claimed "gasket" that allows sound penetration while preventing the entry of water and contaminants (see abstract; col. 4, lines 6-21; col. 4, line 63 col. 5, line 24; Fig. 1), where the portable cordless telephone (12) has a housing (14) that prevents water from entering the housing (14) while allowing the user to speak and hear via the mouthpiece (46) and earpiece (44) during a shower.

      Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips and Ford to have the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants, in order to have a water-resistant handset that can be safely used in

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watery conditions such as shower, rain, or high humidity conditions while allowing signals and sounds to be transmitted/received by a user's voice, as taught by Ford (see col. 4, lines 9-14; col. 5, lines 3-8,19-25; col. 8, lines 11-17).

Regarding **Claim 20**, the combination of Phillips and Ford discloses everything claimed, as applied above (see claim 19), in addition Phillips further discloses of further comprising the step of connecting the top shell (24) to the bottom shell (22) with a fastener or interlocking flanges (see col. 2, lines 56-57; Figs. 1-2).

Regarding **Claim 21**, the combination of Phillips and Ford discloses everything claimed, as applied above (see claim 1), in addition Phillips further discloses wherein the device is a cordless telephone handset (10) (see col. 2, lines 31-35; Figs. 1-2).

Regarding **Claim 22**, the combination of Phillips and Ford discloses everything claimed, as applied above (see claim 19), in addition Phillips further discloses of the mobile communication device (10) comprises a cordless telephone handset (10) (see col. 2, lines 31-35; Figs. 1-2).

**Claim 5** is rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US 6,078,792) and Ford et al. (hereinafter Ford) (US 5,625,688) as applied to claim 1 above, and further in view of Nothnagel et al. (hereinafter Nothnagel) (US 4,397,035).

Regarding **Claim 5**, the combination of Phillips and Ford discloses everything claimed, as applied above (see claim 1), in addition Phillips further teaches of having of mobile communication device (10) having water-absorbent packing (see col. 1, lines 51-64), where the device has a covers (22, 24). The combination of Phillips and Ford fails to



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disclose having the feature a seal between the top shell and the bottom shell, the seal being adapted to isolate the telephone circuitry within the housing from water outside the housing, in order to prevent water from penetrating the housing of a communication device. However, the examiner maintains that the feature a seal between the top shell and the bottom shell, the seal being adapted to isolate the telephone circuitry within the housing from water outside the housing, in order to prevent water from penetrating the housing of a communication device was well known in the art, as taught by Nothnagel.

In the same field of endeavor, Nothnagel discloses the feature a seal (18) between the top shell and the bottom shell, the seal (18) being adapted to isolate the telephone circuitry within the housing from water outside the housing, in order to prevent water from penetrating the housing of a communication device (see col. 2, line 64 - col. 3, line 3; Fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Ford, and Nothnagel to have the feature a seal between the top shell and the bottom shell, the seal being adapted to isolate the telephone circuitry within the housing from water outside the housing, in order to prevent water from penetrating the housing of a communication device, as taught by Nothnagel.

**Claims 6-8, 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US 6,078,792) and Ford et al. (hereinafter Ford) (US 5,625,688) as applied to claim 1 above, and further in view of Curtis et al. (hereinafter Curtis) (US 6,594,472).

Regarding **Claim 6**, the combination of Phillips and Ford fails to disclose having the feature wherein the housing is adapted to be interchangeable with a second changeable

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housing that is changeable by a mobile communication device user. However, the examiner maintains that the feature wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user was well known in the art, as taught by Curtis.

In the same field of endeavor, Curtis discloses wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user (see col. 1, lines 8-17,35-54; Figs. 1, 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Ford, and Curtis to have the feature wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user, in order to allow the user to be able to replace a broken or damaged front and rear cover or change the overall appearance of the radiotelephone, as taught by Curtis (see col. 1, lines 48-50).

Regarding **Claim 7**, the combination of Phillips and Ford fails to disclose the feature wherein the second changeable housing has a different predetermined characteristic than the housing. However, the examiner maintains that the feature wherein the second changeable housing has a different predetermined characteristic than the housing was well known in the art, as taught by Curtis.

Curtis further discloses wherein the second changeable housing has a different predetermined characteristic than the housing (see col. 1, lines 12-15,48-54; Figs. 1, 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Ford, and Curtis to have the

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feature wherein the second changeable housing has a different predetermined characteristic than the housing, in order to allow the user to be able to replace a broken or damaged front and rear cover or change the overall appearance of the radiotelephone, as taught by Curtis (see col. 1, lines 48-50).

Regarding **Claim 8**, the combination of Phillips and Ford fails to disclose the feature wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user without the use of a tool. However, the examiner maintains that the feature wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user without the use of a tool was well known in the art, as taught by Curtis.

Curtis further discloses wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user without the use of a tool (see col. 1, lines 8-17,35-54; Figs. 1, 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Ford, and Curtis to have the feature wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user without the use of a tool, in order to allow the user to be able to replace a broken or damaged front and rear cover or change the overall appearance of the radiotelephone, as taught by Curtis (see col. 1, lines 48-50).

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Regarding **Claim 10**, the combination of Phillips and Ford fails to disclose the feature wherein the fastener comprises a latch. However, the examiner maintains that the feature wherein the fastener comprises a latch was well known in the art, as taught by Curtis.

Curtis further discloses wherein the fastener comprises a latch (e.g., latching member) (see col. 1, line 35 - col. 2, line 17; Figs. 1, 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Ford, and Curtis to have the feature wherein the fastener comprises a latch, in order to allow the user to be able to replace a broken or damaged front and rear cover or change the overall appearance of the radiotelephone, as taught by Curtis (see col. 1, lines 48-50).

**Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US 6,078,792) in view of Ford et al. (hereinafter Ford) (US 5,625,688) as applied to claim 9 above, and further in view of Carlson et al. (hereinafter Carlson) (US 5,241,592).

Regarding **Claim 11**, the combination of Phillips and Ford fails to disclose the feature wherein the fastener comprises a rotatable key. However, the examiner maintains that the feature wherein the fastener comprises a rotatable key was well known in the art, as taught by Carlson.

In the same field of endeavor, Carlson discloses the feature wherein the fastener comprises a rotatable key (132) (see col. 2, lines 5-17; col. 6, lines 2-5; Figs. 1, 2, 5c, and 7-8), where the key is for connecting components of a mobile communication device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Ford, and Curtis to have the feature wherein the fastener comprises a rotatable key, in order to fasten or attach one component with another component of a mobile communication device, as taught by Carlson.

**Claims 12-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US 6,078,792) in view of Nothnagel et al. (hereinafter Nothnagel) (US 4,397,035), Curtis et al. (hereinafter Curtis) (US 6,594,472 B1), and Ford et al. (hereinafter Ford) (US 5,625,688).

Regarding **Claim 12**, Phillips discloses of having a waterproof mobile communication device (10) (see Figs. 1-2) comprising:

a housing having a first shell (22) and a second shell (24), the first shell (22) and the second shell (24) being disconnectable by a mobile communication device user (see Figs. 1-2),

the bottom shell (22) having a unitary keypad interface (30) sealed to the bottom shell (22) with conductive areas that interface with contacts on the telephone circuitry (36) (see Figs. 1-2); and

wherein the housing (20) further includes a microphone interface (28) and a speaker interface (28) (see col. 2, lines 35, 57-63; Figs. 1-2), where the housing is designed to protect the internal components from water. Phillips fails to disclose the features a seal between the first shell and the second shell, the seal being adapted to isolate telephone circuitry within the housing from water outside the housing; wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile

communication device user; and each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants. However, the examiner maintains having a seal between the first shell and the second shell, the seal being adapted to isolate telephone circuitry within the housing from water outside the housing was well known in the art, as taught by Nothnagel.

Nothnagel further discloses a seal (18) between the first shell (1) and the second shell (2), the seal (18) being adapted to isolate telephone circuitry within the housing from water outside the housing (see col. 2, line 64 - col. 3, line 3; Fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips and Nothnagel to have the feature a seal between the first shell and the second shell, the seal being adapted to isolate telephone circuitry within the housing from water outside the housing, in order to prevent water from penetrating the housing of a communication device, as taught by Nothnagel. The combination of Phillips and Nothnagel fails to disclose having the feature wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user; and each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants. However, the examiner maintains that the feature wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user was well known in the art, as taught by Curtis.

Curtis further discloses wherein the housing (2) is adapted to be interchangeable with a second changeable housing (3) that is changeable by a mobile communication device user (see col. 1, lines 8-17,35-54; Figs. 1, 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Nothnagel, and Curtis to have the feature wherein the housing is adapted to be interchangeable with a second changeable housing that is changeable by a mobile communication device user, in order to allow the user to be able to replace a broken or damaged front and rear cover or change the overall appearance of the radiotelephone, as taught by Curtis (see col. 1, lines 48-50). The combination of Phillips, Nothnagel, and Curtis fails to disclose the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants. However, the examiner maintains that the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants was well known in the art, as taught by Ford.

Ford further discloses the feature each interface (46, 44) including a water-impervious flexible membrane which reads on the claimed "gasket" that allows sound penetration while preventing the entry of water and contaminants (see abstract; col. 4, lines 6-21; col. 4, line 63 col. 5, line 24; Fig. 1), where the portable cordless telephone (12) has a housing (14) that prevents water from entering the housing (14) while allowing the user to speak and hear via the mouthpiece (46) and earpiece (44) during a shower.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Nothnagel, Curtis, and Ford to

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have the feature each interface including a gasket that allows sound penetration while preventing the entry of water and contaminants, in order to have a water-resistant handset that can be safely used in watery conditions such as shower, rain, or high humidity conditions while allowing signals and sounds to be transmitted/received by a user's voice, as taught by Ford (see col. 4, lines 9-14; col. 5, lines 3-8, 19-25; col. 8, lines 11-17).

Regarding **Claim 13**, the combination of Phillips, Nothnagel, Curtis, and Ford discloses everything claimed, as applied above (see claim 12), in addition Phillips further teaches of a user interface having a display (32), the display (32) viewable by the mobile communication device user through the housing (see Phillips - Figs. 1-2).

Regarding **Claim 14**, the combination of Phillips, Nothnagel, and Ford fails to disclose the feature wherein the second changeable housing has a different predetermined characteristic than the housing. However, the examiner maintains that the feature wherein the second changeable housing has a different predetermined characteristic than the housing was well known in the art, as taught by Curtis.

Curtis further discloses wherein the second changeable housing has a different predetermined characteristic than the housing (see col. 1, lines 12-15, 48-54; Figs. 1, 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Nothnagel, Ford, and Curtis to have the feature wherein the second changeable housing has a different predetermined characteristic than the housing, in order to allow the user to be able to replace a broken or damaged front and rear cover or change the overall appearance of the radiotelephone, as taught by Curtis (see col. 1, lines 48-50).



Regarding **Claim 15**, the combination of Phillips, Nothnagel, and Ford fails to disclose the feature wherein the housing and the second changeable housing can be changeable by the mobile communication device user without the use of a tool. However, the examiner maintains that the feature wherein the housing and the second changeable housing can be changeable by the mobile communication device user without the use of a tool was well known in the art, as taught by Curtis.

Curtis further discloses wherein the housing and the second changeable housing can be changeable by the mobile communication device user without the use of a tool (see col. 1, lines 8-17, 35-54; Figs. 1, 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Nothnagel, Ford, and Curtis to have the feature wherein the housing and the second changeable housing can be changeable by the mobile communication device user without the use of a tool, in order to allow the user to be able to replace a broken or damaged front and rear cover or change the overall appearance of the radiotelephone, as taught by Curtis (see col. 1, lines 48-50).

Regarding **Claim 16**, the combination of Phillips, Nothnagel, Curtis, and Ford discloses everything claimed, as applied above (see claim 12), in addition Phillips discloses further comprising at least one interlocking flanges which reads on the claimed "fastener", wherein the fastener is adapted to couple the first shell (22) to the second shell (24) (see col. 2, lines 56-57; Figs. 1-2).

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Regarding **Claim 17**, the combination of Phillips, Nothnagel, and Ford fails to disclose wherein the fastener comprises a latch. However, the examiner maintains that the feature wherein the fastener comprises a latch was well known in the art, as taught by Curtis.

Curtis further discloses wherein the fastener comprises a latch (e.g., latching member) (see col. 1, line 35 - col. 2, line 17; Figs. 1, 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Nothnagel, Ford, and Curtis to have the feature wherein the fastener comprises a latch, in order to allow the user to be able to replace a broken or damaged front and rear cover or change the overall appearance of the radiotelephone, as taught by Curtis (see col. 1, lines 48-50).

**Claim 18** is rejected under 35 U.S.C. 103(a) as being unpatentable over Phillips (US 6,078,792) in view of Nothnagel et al. (hereinafter Nothnagel) (US 4,397,035), Curtis et al. (hereinafter Curtis) (US 6,594,472 B1), and Ford et al. (hereinafter Ford) (US 5,625,688) as applied to claim 16 above, and further in view of Carlson et al. (hereinafter Carlson) (US 5,241,592).

Regarding **Claim 18**, the combination of Phillips, Nothnagel, Curtis, and Ford fails to disclose the feature wherein the fastener comprises a rotatable key. However, the examiner maintains that the feature wherein the fastener comprises a rotatable key was well known in the art, as taught by Carlson.

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Carlson further discloses the feature wherein the fastener comprises a rotatable key (132) (see col. 2, lines 5-17; col. 6, lines 2-5; Figs. 1, 2, 5c, and 7-8), where the key is for connecting components of a mobile communication device.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Phillips, Nothnagel, Ford, Curtis, and Carlson to have the feature wherein the fastener comprises a rotatable key, in order to fasten or attach one component with another component of a mobile communication device, as taught by Carlson.

#### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Jun (US 6,467,683 B2) discloses a *Waterproof Keyboard*.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (703) 305-8636. The examiner can normally be reached on 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-4379. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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